

1. If you live here and you do not complete and submit this form within 5 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name):			
<b>NAME OF COURT:</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:			
PLAINTIFF:  DEFENDANT:			
<b>PREJUDGMENT CLAIM OF RIGHT TO POSSESSION—          Unlawful Detainer (Pilot Project—C.C.P. §§ 1167.2, 1167.25)</b> Riverside Consolidated/Coordinated Courts and the Downey, El Cajon, and North Santa Barbara County Municipal Courts			CASE NUMBER:
<b>Complete this form only if ALL of these statements are true:</b> 1. You are NOT named in the accompanying Summons and Complaint. 2. You occupied the premises on or before the date the unlawful detainer (eviction) Complaint was filed. 3. You still occupy the premises.			(To be completed by the process server) DATE OF SERVICE:  (Date that this form is served or delivered, and posted, and mailed by the officer or process server)

1. My name is (*specify*):
2. I reside at (*street address, unit No., city and ZIP code*):
3. The address of "the premises" subject to this claim is (*address*):
4. On (*insert date*): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (*This date is the court filing date on the accompanying Summons and Complaint.*)
5. I occupied the premises on the date the complaint was filed (*the date in item 4*). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (*the date in item 4*).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (*the date in item 4*).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.

(Continued on reverse)

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

**NOTICE: If you fail to file this claim, you will be evicted without further hearing.**

10. I understand that I must file this form with the court within five (5) days from the date of service shown on this form. I may file this form by taking it to the Court or mailing it by registered or certified mail, return-receipt requested, and post-marked within five (5) days from the date of service shown on this form. I understand that if I fail to file this form, as described above, I will not be entitled to make a claim of right to possession.
11. I understand that in addition to filing this form, at the same time, I may also file a completed Reply Form.
12. **Rental agreement.** I have *(check all that apply to you)*:
- a. ☐ an oral rental agreement with the landlord.
  - b. ☐ a written rental agreement with the landlord.
  - c. ☐ an oral rental agreement with a person other than the landlord.
  - d. ☐ a written rental agreement with a person other than the landlord.
  - e. ☐ other *(explain)*:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**WARNING: Perjury is a felony punishable by imprisonment in the state prison.**

Date: \_\_\_\_\_

.....

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF CLAIMANT)

**NOTICE:** This case will be scheduled for a pretrial hearing. If you file this claim-of-right-to-possession, you will be notified by the Court of the hearing date. At that hearing the Court will determine whether there is a substantial conflict as to a material fact or facts relevant to the unlawful detainer. At the end of the hearing the Court may order you to make a rent deposit with the Court, as requested by the landlord. At the pretrial hearing you will be allowed to verbally answer the complaint and present your testimony, the written declarations of others, and documentary or physical evidence as to material facts relevant to the unlawful detainer. If the court determines that a pretrial rent deposit is required, it will be no greater than an amount equal to 15 days' rent or \$500, whichever is less.

Should the court order you to make a pretrial rent deposit and you have timely returned the "reply form," you will have two court days from the date of the hearing to make the deposit. If you fail to timely return the "reply form" and the Court orders a pretrial rent deposit, you must make the deposit that same day to preserve your right to a trial. Failure to make a court-ordered pretrial rent deposit will result in judgment being entered against you for possession of your residence. If the case proceeds to trial, you may be found liable for rent, costs, and, in some cases, treble damages.

**— NOTICE TO OCCUPANTS —**

**YOU MUST ACT AT ONCE if all the following are true:**

1. You are **NOT** named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) complaint was filed. *(The date is the court filing date on the accompanying Summons and Complaint.)*
3. You still occupy the premises.

*(Where to file this form)* You can complete and SUBMIT THIS CLAIM FORM WITHIN 5 DAYS from the date of service (on the reverse of this form) at the court where the unlawful detainer (eviction) complaint was filed.

*(What will happen if you do not file this form)* If you do not complete and submit this form (and pay a filing fee or file the form for proceeding in forma pauperis if you cannot pay the fee), **YOU WILL BE EVICTED.**

After this form is properly filed, you will be added as a defendant in the unlawful detainer (eviction) action and your right to occupy the premises will be decided by the court. *If you do not file this claim, you will be evicted without a hearing.*